


USCG-2002-14069-14



General Security Provisions


1. Obligations of Contracting Government.

Coast Guard intends to:

- ✓ Mandate MARSEC Levels
- ✓ Establish communication procedures
- ✓ Provide points & means of contact

- Would these communication processes meet the port/vessel needs? Why or why not?

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General Security Provisions

2. Recognized Security Organization (RSO).

- ✓ ISPS allows delegation
- ✓ Coast Guard does not intend to delegate authority to RSOs
- ✓ May delegate in the future

- Should the Coast Guard delegate its authority?
- Should there be additional qualification/competency requirements?

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General Security Provisions

3. Other Organizations

- ✓ Security assessments/plans may require help from competent maritime security organizations.
 - ✓ Currently no standards exist.
-

- Should there be professional standards?
- Should the Coast Guard vet these organizations?
- Do you know of an alternative standard that should be associated with them?

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General Security Provisions

4. Alternatives and Equivalencies.

- ✓ SOLAS permits alternatives or equivalencies, where appropriate.
 - ✓ Submission format like 46 CFR 30.15 or 46 CFR 70.15.
-

- Would you request an alternative or equivalency?
- Is 46 CFR 30.15-like submission process appropriate?

U.S. Coast Guard



General Security Provisions

5. *Accepting Industry Standards.*

For non-SOLAS vessels:

- ✓ Coast Guard may accept industry standards as equivalent or alternative.
 - ✓ Would be a nationwide acceptance.
 - ✓ Third party audits to verify compliance.
-

- Do you know of an industry standard that may be considered equivalent?
- If there was an industry standard, would you use it?

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General Security Provisions

6. *Declaration of Security (DoS).*

- ✓ National requirements for DoS & local requirements for DoS depending on Port Security plan.
 - ✓ Guidance on DoS communications – NVIC or Regulation?
-

- What operations/when do you believe a DoS would be appropriate?
- What format (regulation or guidance) is best?

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General Security Provisions

7. Security of information.

- ✓ Information required to be protected from unauthorized access or disclosure.
 - ✓ Coast Guard needs access to verify & approve.
 - ✓ To designate Security Plans as Security Sensitive Information (SSI)
-
- Is the SSI classification sufficient?
 - Alternative ways to protect this information?

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General Security Provisions

Comments – Discussion

Questions 1-7

(pages 79745-79746 of Notice)

- 1 - Communication procedures
 - 2 - Recognized Security Organizations
 - 3 - Other Organizations in Security
 - 4 - Alternatives & Equivalencies
 - 5 - Accepting Industry Standards
 - 6 - Declarations of Security
 - 7 - Security of Information
-

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Port Security Provisions

8. Port Security Plans & Committees.

- ✓ Issue regulations establishing Port Security Committees
 - ✓ Designate COTP as Port Facility Security Officer.
 - ✓ Issue guidance for Port Security Committee membership.
-

- Who should be involved in Port Security Committees?
- How would you ensure involvement?

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Port Security Provisions

9. Port Security Assessments (PSA).

- ✓ PSA required for each COTP Zone.
 - ✓ Port Security Committees will assist in PSAs
 - ✓ PSA will need to be updated.
-

- Will the PSCs be able to provide enough expertise to develop PSAs?
- Does your port currently have an assessment that you believe could be used for a PSA?

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Port Security Provisions

10. Control of vessels, facilities, & operations.

- ✓ Port Security Plan to address areas that may benefit from waterway restrictions under certain security levels.
 - ✓ Could put into regulations specific procedures for security zones & patrol requirements for each port or area.
-
- Would pre-designated restrictions assist in you?
 - Suggestions of other ways to control activities?

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Port Security Provisions

11. Port security training & exercises.

- ✓ Annual exercises of the Port Plan
 - ✓ No formal training requirements for port personnel
 - ✓ Quarterly port drill requirement met through participation in facility drills.
-
- Would you participate in a port exercise?
 - Is there a particular type of exercise that is preferred?
 - Do you have a port personnel security training program?

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Port Security Provisions

Comments – Discussion
Questions 8-11
(pages 79747-79748 of Notice)

8 - Port Security Plans & Committees

9 - Port Security Assessments

10 - Control of vessels, facilities, &
operations

11 - Port security training & exercises

• Other Port Security topics?

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Vessel Security Provisions

12. Incorporation by Reference.

✓ Accepting National, State, or industry
standards that could be used to meet certain
security requirements
(e.g. motion detection devices)

- Is there a National, State, or industry standard that could be used to meet security measures?
- Would you consider using it? Why?

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Vessel Security Provisions

13. Obligations of the Company.

- ✓ SOLAS amendments & ISPS detail obligations of the company.
- ✓ Vessel Security Plans (VSPs) would describe how the company meets its obligations.

- Is addressing company obligations in the vessel plan enough?
- Suggestions on how to ensure these obligations are met?
- Suggestions on how to balance towing vs barge company obligations?

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Vessel Security Provisions

14. Vessel Security Requirements.

Page 79745 lists proposed application

- ✓ Includes all foreign ships, & all vessels/ships/MODUs subject to subchapters D, H, I, I-A, K, L, and O
- ✓ Includes small passengers vessels subject to subchapter T engaged on international voyages
- ✓ All barges subject to subchapters D, I, or O
- ✓ All towing vessels greater than 6 meters

- Is the proposed application of these requirements appropriate?
- Do you have a suggestion for additional security measures?

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Vessel Security Provisions

15. Vessel Security Assessments (VSA)

- ✓ VSAs would be required & include an on-scene security survey.
 - ✓ Coast Guard would review the VSAs when the Vessel Security Plans are submitted for approval.
-
- Suggestions on how to best conduct a VSA?
 - For vessels on domestic voyages, are there any appropriate alternatives?

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Vessel Security Provisions

16. Vessel Security Plan (VSP)

- ✓ Developed for three MARSEC levels.
 - ✓ Take into account the VSA results.
 - ✓ Be reviewed & updated periodically.
 - ✓ Coast Guard to provide an outline similar to what is 33 CFR 155.1030.
-
- Suggestions on additional items the VSP should address?
 - Suggestion or a best practice for VSP requirement?
 - Would you find an outline a valuable aid?

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Vessel Security Provisions

17. Submission of Vessel Security Plans.

- ✓ VSPs must be approved
 - ✓ Coast Guard to accept non-US flag vessel's SOLAS ISPS Code certificates.
 - ✓ U.S. VSPs approved by CG
 - ✓ Alternatives considered such as corporate plan or industry-specific plan
 - ✓ Submission process like 33 CFR 120.305
-

- Suggestions on how to streamline approvals?
- Is proposed submission format appropriate?

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Vessel Security Provisions

18. Existing Security Measures for Certain Vessels

- ✓ Coast Guard evaluating the need to retain certain existing security measures (33 CFR part 120 – large passenger vessels).
 - ✓ Believe 33 CFR part 120 equals SOLAS
-

- Is 33 CFR part 120 equal to SOLAS?
- Should additional security requirements exist for certain vessel types?

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Vessel Security Provisions

19. Vessel Security Recordkeeping.

- ✓ Certain security records to be kept on board
 - ✓ Records to be available for review
 - ✓ Coast Guard proposes retaining records for 2 years
 - ✓ No formats or place to be kept to be prescribed
-
- Suggestions or best practices for records?
 - Should the Coast Guard prescribe a format/placement?

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Vessel Security Provisions

20. Company Security Officer (CSO).

- ✓ Company to designate CSO
 - ✓ CSOs to participate in security exercises & keep records for 2 years
 - ✓ No course certifications or licenses for CSO at this time.
 - ✓ Company to certify CSO has knowledge, experience & maritime security competency
-
- Should the Coast Guard require formal CSO training?
 - Is Company certification appropriate?
 - Is 2 years of participation records for CSO enough?

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Vessel Security Provisions

21. Vessel Security Officer (VSO)

- ✓ Company to designate VSO
 - ✓ VSOs to participate in security exercises
 - ✓ No course certifications or licenses for VSO at this time.
 - ✓ Company to certify VSO has knowledge, experience & maritime security competency
 - ✓ Alternatives for some vessel classes
-
- Should the Coast Guard require formal VSO training?
 - Is Company certification appropriate?
 - Suggested alternatives for VSO on certain vessel classes?

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Vessel Security Provisions

22. Security training & drills for vessel personnel

- ✓ Vessel personnel that have specific security duties & responsibilities to be trained
 - ✓ Vessel personnel to participate in security drills
 - ✓ Masters, VSOs or CSOs to certify vessel personnel have received training
 - ✓ Records on training & drills to be kept
-
- Should the Coast Guard require formal training?
 - Should a format for training/drill records be prescribed?

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Vessel Security Provisions

23. Certification for vessels.

- ✓ International Ship Security Certificate to be issued for vessels on international voyages
 - ✓ COIs contingent on meeting requirements
 - ✓ Proof on board of compliance for uninspected vessels
-
- Other suggestions for verification & certification?

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Vessel Security Provisions

Comments – Discussion

Questions 12-23

(pages 79747-79748 of Notice)

- 12 - Incorporation by Reference of Standards
 - 13 - Company obligations
 - 14 - Application of requirements
 - 15 & 16 - Vessel Security Assessments & Plans
 - 17, 19 & 23 - Submission of Plans, Certification & records
 - 18 - Existing vessel security requirements
 - 20 to 22 - CSO, VSO, & vessel personnel designation, training/drills & exercise participation
-
- Other Vessel Security topics?

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Facility Security Provisions

24. Incorporation by Reference.

- ✓ Accepting National, State, or industry standards that could be used to meet certain security requirements (e.g. motion detection devices)
-

- Is there a National, State, or industry standard that could be used to meet security measures?
- Would you consider using it? Why?

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Facility Security Provisions

25. Facility Security Requirements.

Page 79745 lists proposed application

- ✓ Includes all facilities that handle cargo regulated under 33 CFR parts 126, 127, & 154
 - ✓ Includes all facilities that service vessels certified to carry more than 150 passengers
 - ✓ Includes facilities that service vessels engaged on international voyages – including Great Lakes
-

- Is the proposed application of these requirements appropriate?
- Do you have a suggestion for additional security measures?

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Facility Security Provisions

26. Facility Security Assessments (FSA)

- ✓ FSAs would be required
 - ✓ Coast Guard would review the FSAs when the Facility Security Plans are submitted for approval.
-
- Suggestions on how to best conduct a FSA?
 - For facilities servicing vessels exclusively on domestic voyages, are there any appropriate alternatives?

U.S. Coast Guard



Facility Security Provisions

27. Facility Security Plan (FSP)

- ✓ Developed for three MARSEC levels.
 - ✓ Take into account the FSA results.
 - ✓ Be reviewed & updated periodically.
 - ✓ Coast Guard to provide an outline similar to what is 33 CFR 155.1030.
-
- Suggestions on additional items the FSP should address?
 - Suggestion or a best practice for FSP requirement?
 - Would you find an outline a valuable aid?

U.S. Coast Guard



Facility Security Provisions

28. Submission of Facility Security Plans.

- ✓ FSPs must be approved
 - ✓ FSPs approved by CG @ local level (COTP)
 - ✓ Alternatives considered such for companies that own & operate both facility & vessels that call on that facility
 - ✓ Submission process like 33 CFR 120.305
-
- Suggestions on how to streamline approvals?
 - Is proposed submission format appropriate?

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Facility Security Provisions

29. Facility Security Recordkeeping.

- ✓ Certain security records to be kept
 - ✓ Records to be available for review
 - ✓ Coast Guard proposes retaining records for 2 years
 - ✓ No formats or place to be kept to be prescribed
-
- Suggestions or best practices for records?
 - Should the Coast Guard prescribe a format/placement?

U.S. Coast Guard



Facility Security Provisions

30. Facility Security Officer (FSO).

- ✓ Facility owner/operator to designate FSO
 - ✓ FSOs to participate in security exercises & keep records for 2 years
 - ✓ No course certifications or licenses for FSO at this time.
 - ✓ Company to certify FSO has knowledge, experience & maritime security competency
-
- Should the Coast Guard require formal FSO training?
 - Is Company certification appropriate?
 - Could the same FSO to be designated for multiple facilities?
 - Is 2 years of participation records for FSO enough?

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Facility Security Provisions

31. Security training & drills for facility personnel

- ✓ Facility personnel that have specific security duties & responsibilities to be trained
 - ✓ Facility personnel to participate in security drills
 - ✓ FSOs to certify facility personnel have received training
 - ✓ Records on training & drills to be kept
-
- Should the Coast Guard require formal training?
 - Should a format for training/drill records be prescribed?

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Facility Security Provisions

32. Certification for facilities.

- ✓ Coast Guard to review & approve FSP
 - ✓ Company to certify FSP implemented & meets requirements
 - ✓ Coast Guard to inspect facility to verify compliance
-
- Other suggestions for verification & certification?
 - Should the Coast Guard allow companies to certify their facilities?

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Facility Security Provisions

Comments – Discussion Questions 24-32 (page 79749 of Notice)

- 24 - Incorporation by Reference
 - 25 - Application of requirements
 - 26 & 27 - Facility Security Assessments & Plans
 - 28, 29 & 32 - Plan Submission, Certification & records
 - 30 to 31 - FSO & facility personnel designation, training/drills & exercise participation
 - Other Facility Security topics?
-

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Other Security Provisions

33. Permanent hull marking requirement.

- ✓ All SOLAS vessels to have permanent hull markings
(SOLAS Chapter XI-1 regulation 3)
 - ✓ Vessels dedicated to domestic voyages would not have to meet these hull marking requirements
-

- Should vessels limited to domestic voyages be required to meet this requirement?

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Other Security Provisions

34. Continuous Synopsis Record requirement.

- ✓ All SOLAS vessels to maintain Continuous Synopsis Record
(SOLAS Chapter XI-1 regulation 5)
 - ✓ Vessels dedicated to domestic voyages would not have to maintain this record
-

- Should vessels limited to domestic voyages be required to meet this requirement?

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Other Security Provisions

35. Security alert system requirement.

- ✓ All SOLAS vessels to have a security alert system. (SOLAS Chapter XI-2 regulation 6)
 - ✓ Considering domestic vessels have security alert if engaged in the transport of certain dangerous cargos (CDCs)
 - ✓ May benefit other domestic vessel operations such as certain passenger or towing vessels
-
- Would this benefit vessels engaged in the transport of CDCs?
 - Should other types of vessels be required to have this system?

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Other Security Provisions

36. Fixed and floating platforms requirements.

- ✓ Consideration of fixed & floating platforms into Port Security regime
 - ✓ Working with offshore industry on security standards
 - ✓ May mandate security standards in future
-
- Should offshore platforms have security requirements?

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Other Security Provisions

37. Seafarers' identification criteria requirements.

- ✓ ILO intends to update requirements in June 2003
 - ✓ Transportation Security Card being developed
 - ✓ In interim will use the criteria set out in notice "Maritime Identification Credentials" (67 FR 51082, August 7, 2002).
-

- Should the policy notice be changed to capture additional forms of identification?

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Other Security Provisions

38. Advanced notice of arrival (ANOA)

- ✓ NPRM for ANOA published –comment period closed (67 FR 41659, June 19, 2002)
 - ✓ May expand ANOA to include
 - ✓ information in new SOLAS provisions (SOLAS Chapter XI-2 regulation 9)
 - ✓ foreign flag vessels on compliance with Part B of the ISPS Code
 - ✓ certain barges operating above mile marker 235 on Mississippi River
-

- Should additional information be provided prior to port entry?
- Should barges above mile marker 235 give notice?

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Other Security Provisions

39. Foreign Port Assessments.

- ✓ Assessment of antiterrorism measures in foreign ports required
 - ✓ Intends to accept foreign port compliance with SOLAS & the ISPS Code as the initial security assessment.
 - ✓ May conduct audits
-
- Should approval of port facility security by contracting government be accepted?
 - What other factors should be considered to assess the effectiveness of antiterrorism measures at foreign ports?

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Other Security Provisions

40. Automatic Identification System (AIS).

- ✓ AIS requirements were recently accelerated by adopted SOLAS amendments & MTSA.
 - ✓ Separate NPRM on AIS to be published
 - ✓ MTSA has broad application of AIS that includes commercial vessels over 65 feet, passenger vessels, towing vessels over 26 feet/600hp, & other vessels for safe navigation
-
- What other vessels should be required to carry AIS?
 - Should AIS be waived on any specific navigable waters?

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Preliminary Costs

Comments – Discussion
(pages 79751 & Appendix C of Notice)

- ✓ Cost Assumptions
 - ✓ Costs at MARSEC 2 & 3
 - ✓ Impact on small businesses,
Indian tribal governments, &
energy impacts\
 - ✓ Other Cost Considerations
-

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Other Security Provisions

Comments – Discussion
Questions 33-40
(pages 79749 – 79751 of Notice)

- | | |
|--|--|
| 33 - Hull markings | 37 - Seafarers' identification |
| 34 - Continuous
Synopsis Record | 38 - Advanced notice of
arrival |
| 35 - Security alert system | 39 - Foreign port assessments |
| 36 - Fixed & floating
platform security | 40 - Automatic Identification
Systems (AIS) |
| • Cost Discussion | • Other Security Provisions |
-

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Submission of Comments

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Comment period ends February 28, 2003

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Submission of Comments

**Please submit protected information in writing by
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Room 3406
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2100 Second Street, SW
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Comment period ends February 28, 2003

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